

1 RENE L. VALLADARES  
Federal Public Defender  
2 State Bar No. 11479  
RICHARD F. BOULWARE  
3 Assistant Federal Public Defender  
411 E. Bonneville, Ste. 250  
4 Las Vegas, Nevada 89101  
(702) 388-6577  
5 (Fax) 388-6261  
6 Attorney for ANDREW SWAN

7  
8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA

10 \* \* \*

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 vs.  
14 ANDERSON et al.,  
15 Defendants.

2:11-cr-00120-RLH-CWH

MOTION TO EXTEND TIME BY TWO  
DAYS TO FILE RESPONSE TO  
GOVERNMENT IN LIMINE MOTION

16 COMES NOW, the defendant, ANDREW SWAN, by and through his counsel of  
17 record, Richard F. Boulware, Assistant Federal Public Defender, and hereby moves this Court for  
18 an order to allow defense counsel, who is in trial, two additional days to file his response to the  
19 government's motion in limine filed on October 5, 2012.

20 DATED this 22nd day of October, 2012.

21 RENE L. VALLADARES  
22 Federal Public Defender

23 /s/ Richard F. Boulware  
24 By \_\_\_\_\_  
25 RICHARD F. BOULWARE,  
Assistant Federal Public Defender  
26  
27  
28

1 **I. Discussion**

2 The government has filed an in limine motion in this case as to the issue of whether  
3 the defense should be permitted to argue bank negligence or loose lending practices as a defense in  
4 this case. The response to this motion was automatically scheduled to be due on October 22, 2012  
5 – today. Defense counsel is currently in trial before the Honorable Philip Pro. Defense counsel  
6 would therefore request two additional days to be able to file a response to the government's motion.

7 The defense requested a stipulation from the government but the government refused  
8 to agree. Defense counsel is therefore filing this motion. There is and can be no prejudice to the  
9 government for such a short extension. Defense counsel thus requests two additional days to file a  
10 response to the government's motion in limine filed on October 5, 2012.

11  
12 DATED this 22nd day of October, 2012.

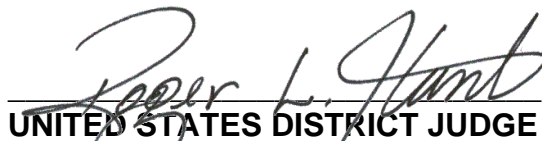
13 Respectfully submitted,

14 RENE L. VALLADARES  
15 Federal Public Defender

16 /s/ Richard F. Boulware

17 By \_\_\_\_\_  
18 RICHARD F. BOULWARE,  
19 Assistant Federal Public Defender  
20 Counsel for Andrew Swan  
21

22 **IT IS SO ORDERED.**

23   
24 \_\_\_\_\_  
25 UNITED STATES DISTRICT JUDGE

26 **DATED: October 23, 2012**  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF ELECTRONIC SERVICE**

The undersigned hereby certifies that he is an employee of the Law Offices of theFederal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on October 22, 2012, he served an electronic copy of the above and foregoing MOTION TO EXTEND TIME BY TWO DAYS TO FILE RESPONSE TO GOVERNMENT IN LIMINE MOTION by electronic service (ECF) to the person named below:

DANIEL G. BODGEN  
United States Attorney

SARAH GRISWOLD  
Assistant United States Attorney  
333 Las Vegas Blvd. So., 5<sup>th</sup> Floor  
Las Vegas, Nevada 89101

James Hartsell, Esq.  
Counsel for George Anderson  
Law Office of James Hartsell  
720 4<sup>th</sup> Street, Suite 100  
Las Vegas, NV 89101

/s/ Richard F. Boulware  
Employee of the Federal Public Defender